## 110TH CONGRESS 1ST SESSION

## H. R. 3241

To clarify the amount of loans to be guaranteed under title XVII of the Energy Policy Act of 2005, and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

July 31, 2007

Mr. Boucher (for himself and Mr. Dingell) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

## A BILL

To clarify the amount of loans to be guaranteed under title XVII of the Energy Policy Act of 2005, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. AMOUNT OF LOANS GUARANTEED.
- 4 Section 1702 of the Energy Policy Act of 2005 (42
- 5 U.S.C. 16512) is amended—
- 6 (1) by amending subsection (c) to read as fol-
- 7 lows:
- 8 "(c) Amount.—

- "(1) Percentage of project cost.—A guarantee by the Secretary shall not exceed an amount equal to 80 percent of the project cost of the facility that is the subject of the guarantee, as estimated at the time at which the guarantee is issued, and shall be no less than the minimum amount determined by the Secretary to be likely to attract nonguaranteed investment adequate to capitalize the project.
  - "(2) Percentage of loan.—Subject to paragraph (1), the Secretary may guarantee up to 100 percent of any loan or other debt obligation of the borrower to fund an eligible project, and may not issue a rule or regulation establishing a lower percentage limit."; and
- 15 (2) by adding at the end the following new sub-16 section:
- "(k) Wages.—No loan guarantee shall be made under this title unless the borrower has provided to the Secretary reasonable assurances that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part with the loan will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with

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- 1 subchapter IV of chapter 31 of title 40, United States
- 2 Code (commonly referred to as the Davis-Bacon Act).".
- 3 SEC. 2. EXCLUSION OF CATEGORIES.
- 4 Section 1704 of the Energy Policy Act of 2005 (42
- 5 U.S.C. 16514) is amended by adding at the end the fol-
- 6 lowing new subsection:
- 7 "(c) Exclusion of Categories.—No appropriation
- 8 authorized pursuant to this section may exclude any cat-
- 9 egory of eligible project described in section 1703.".

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